

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 200

Introduced by Rogert, 16; Karpisek, 32.

PURPOSE: In 1983, the program created under sections 23-362 and 23-362.01 in 1957 was placed under the jurisdiction of the Nebraska Commission on Law Enforcement and Criminal Justice (LB 607), Program 196.

Since 1986 and the most recent criminal retrocession for the Winnebago Tribe, the commission has interpreted the statute to mean that the counties, including Thurston County, should not receive state aid any longer for law enforcement on the reservations.

However, Thurston County may still be spending county funds in order to provide for law enforcement and county operations on the reservation since the criminal retrocession for the Winnebago Tribe in 1986 due to the exception left in for traffic violations when the Omaha Tribe retroceded in 1969.

The purpose of this study is to determine if Thurston County is still entitled to automatic state aid payments and a reimbursement and, if this is the case, how to reimburse the county.

The issues to be addressed by this study include, but are not limited to:

- (1) What are the geographic boundaries of the Winnebago

and Omaha Tribes in Thurston County;

(2) Is the method for reimbursement to Thurston County a federal or a state responsibility;

(3) How much has Thurston County lost due to traffic violations since the decision to stop state aid due to the criminal retrocession for the Winnebago Tribe in 1986;

(4) Is the commission correct in its interpretation that state aid ceases to Thurston County after the criminal retrocession for the Winnebago Tribe in 1986; and

(5) What is the appropriate method for reimbursement.

Based on this study, the committee shall make any recommendations necessary to address any concerns relative to the funding and reimbursement to Thurston County.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIRST LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.